

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
ex rel. CHARLES GONZALES,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:13-cv-00344-BCW
)	
VITAS HEALTHCARE CORP., et al.,)	
)	
Defendants.)	

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:13-cv-00449-BCW
)	
VITAS HOSPICE SERVICES,)	
L.L.C., et al.,)	
)	
Defendants.)	

UNITED STATES OF AMERICA and)	
STATE OF ILLINOIS, ex. rel. LAURA)	
SPOTTISWOOD,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:13-cv-00505-BCW
)	
CHEMED CORPORATION, f/d/b/a)	
VITAS HOSPICE SERVICES, LLC, et al.,)	
)	
Defendants.)	

UNITED STATES OF AMERICA,)	
ex rel. BARBARA URICK,)	
)	
Plaintiffs,)	
v.)	Case No. 4:13-cv-00563-BCW
)	
VITAS HME SOLUTIONS, INC., et al.,)	
)	
Defendants.)	

ORDER

Before the Court is the Joint Motion for Consolidation of Related Cases (Doc. #60) filed by the parties in *United States of America v. Vitas Hospice Services, L.L.C., et al.*, Case No. 4:13-CV-00449, and consideration of the Stipulations to the Joint Motion for Consolidation submitted by the respective relators/*qui tam* plaintiffs in *United States of America ex rel. Charles Gonzales v. Vitas Healthcare Corporation, et al.*, Case No. 4:13-CV-00344 (“Gonzales”), *United States of America ex rel. Laura Spottiswood v. Chemed Corporation, f/d/b/a Vitas Hospice Services, L.L.C. et al.*, Case No. 4:13-CV-00505 (“Spottiswood”), and *United States of America ex rel. Barbara Urick v. Vitas Healthcare of Texas, L.P., et al.*, Case No. 4:13-CV-00563 (“Urick”). The Court being duly advised of the premises, and for good cause shown, grants said Motion. Accordingly, it is hereby

ORDERED the Joint Motion for Consolidation of Related Cases (Doc. #60) is GRANTED. It is further ORDERED:

1. The above-styled civil actions are consolidated. The intervened claims in the *qui tam* actions are consolidated with the claims brought in the United States’ First Amended Complaint in this action. All future pleadings and orders regarding these cases

shall be filed under a caption bearing the style of *United States of America v. Vitas Hospice Services, L.L.C., et al.*, Case No. 4:13-CV-00449.

2. The First Amended Complaint in Case No. 4:13-CV-00449 shall govern the consolidated action, and the separate actions are merged into this single action for all purposes including, but not limited to: (a) pleadings to be filed pursuant to Fed. R. Civ. P. 12; (b) scheduling and discovery pursuant to Fed. R. Civ. P. 16 and 26 and Local Rules 16.1 and 26.1; (c) dispositive motions pursuant to Fed. R. Civ. P. 12 and 56, if any; (d) trial and order of the entry of final judgment; (e) determining rights of individual relators pursuant to 31 U.S.C. § 3730(c); (f) determining any awards to the individual relators pursuant to 31 U.S.C. § 3730(d); (g) any motions seeking dismissal of a relator based on the provisions of 31 U.S.C. §§ 3730(b)(5) or 3730(e)(4) (provided that in determining whether an action is barred by § 3730(b)(5), or whether there has been a prior public disclosure pursuant to § 3730(e)(4), the date each relator filed his or her *qui tam* complaint and the allegations made in each relator's complaint will be considered); and (h) all other purposes the Court determines to be just and efficient.

3. The non-intervened claims in *Gonzales* and *Urlick* are consolidated with this action, subject to the stipulations filed in those cases relating to the non-intervened claims (*Gonzales*, Doc. #30, Case No. 4:13-CV-00344; and *Urlick*, Doc. #101, Case No. 4:13-CV-00563). The non-intervened claims in *Gonzales* and *Urlick* are consolidated to facilitate consistent rulings on all matters which may remain at issue in those actions.

IT IS SO ORDERED.

DATED: September 25, 2013

/s/ Brian C. Wimes

JUDGE BRIAN C. WIMES
UNITED STATES DISTRICT COURT